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Attorneys for Defendant Alpine Fire Protection  
District

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JIM MAXWELL and KAY MAXWELL,  
individually and as guardians of TREVER  
ALLEN BRUCE and KELTEN TANNER  
BRUCE; and JIM MAXWELL, as executor  
of the ESTATE OF KRISTEN MARIE  
MAXWELL-BRUCE,

Plaintiffs,

vs.

COUNTY OF SAN DIEGO; ALPINE  
FIRE PROTECTION DISTRICT; VIEJAS  
FIRE DEPARTMENT; DEPUTY  
LOWELL BRYAN "SAM" BRUCE;  
DOES 1-50,

Defendants.

Case No. 07 CV 2385 JAH WMc

[Assigned to Judge Hon. John A. Houston]

**AMENDED PROOF OF SERVICE TO  
NOTICE OF MOTION TO DISMISS  
AND POINTS & AUTHORITIES IN  
SUPPORT OF MOTION TO DISMISS  
BY DEFENDANT ALPINE  
PROTECTION DISTRICT**

Date: February 19, 2008

Time: 2:30 p.m.

Ctrm: 11

Complaint Filed: December 19, 2007

TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO ALL  
INTERESTED PARTIES:

1 PLEASE TAKE NOTICE OF THE ATTACHED **AMENDED** PROOF OF  
2 SERVICE correcting service on all parties from *facsimile* to *e-mail* and deleting Judge  
3 Houston from the facsimile/e-mail service.

4  
5 Dated: January 10, 2008

HAIGHT BROWN & BONESTEEL LLP

6  
7 By: s/Stephen M. Caine

8 Kevin Osterberg  
9 Stephen M. Caine  
10 Attorneys for Defendant  
11 Alpine Fire Protection District  
12 E-Mail: scaine@hbblaw.com  
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**PROOF OF SERVICE BY EMAIL**

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.:

*JIM MAXWELL and KAY MAXWELL vs. COUNTY OF SAN DIEGO; ALPINE FIRE PROTECTION DISTRICT; VIEJAS FIRE DEPARTMENT; DEPUTY LOWELL BRYAN "SAM" BRUCE; DOES 1-50*  
*07 CV 2385 JAH WMc*

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 6080 Center Drive, Suite 800, Los Angeles, CA 90045-1574.

On January 10, 2008, I served on interested parties in said action the within:

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO DISMISS BY DEFENDANT ALPINE FIRE PROTECTION DISTRICT**

I caused the foregoing document to be served by email transmission to each interested party as follows:.

Charles G. La Bella  
Steven T. Coopersmith  
La Bella & McNamara LLP  
401 West A Street, Suite 1150  
San Diego, California 92101  
Attorneys for Plaintiffs

Telephone No.: (619) 696-9200  
Facsimile No.: (619) 696-9269  
Email: scoopersmith@labellamcnamara.com

Todd D. Thibodo  
Law Offices of Todd D. Thibodo APC  
16133 Ventura Coulevard, Suite 580  
Encino, California 91436

Philip Samouris  
Higgs Fletcher & Mack LLP  
401 West A Street, Suite 2600  
San Diego, California 92101-7910

Telephone no.: (818) 907-5769  
Facsimile no.: (818) 907-5793  
Email: toddthibodo@charter.net  
*Attorneys for Plaintiffs*

Telephone no.: (619) 236-1551  
Facsimile no.: (619) 696-1410  
Email: samouris@higgslaw.com  
*Attorneys for co-defendant Viejas Fire Dept.*

Executed on January 10, 2008, at Los Angeles, California.

1 I declare under penalty of perjury that I am employed in the office of a member of  
2 the bar of this Court at whose direction the service was made and that the foregoing is true  
and correct.

3  
4 Stephen M. Caine  
(Type or print name)

/s/ Stephen M. Caine

(Signature)

**PROOF OF SERVICE BY E-MAIL**

STATE OF CALIFORNIA        }  
COUNTY OF LOS ANGELES    } ss.:

*JIM MAXWELL and KAY MAXWELL vs. COUNTY OF SAN DIEGO; ALPINE  
FIRE PROTECTION DISTRICT; VIEJAS FIRE DEPARTMENT; DEPUTY  
LOWELL BRYAN "SAM" BRUCE; DOES 1-50  
07 CV 2385 JAH WMc*

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Attorneys for co-defendant Viejas  
Fire Dept.

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2 member of the bar of this Court at whose direction the service was made and that the  
3 foregoing is true and correct.

4 Stephen M. Caine  
(Type or print name)

/s/ Stephen M. Caine  
(Signature)

**PROOF OF SERVICE BY MAIL**

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.:

*JIM MAXWELL and KAY MAXWELL vs. COUNTY OF SAN DIEGO; ALPINE FIRE PROTECTION DISTRICT; VIEJAS FIRE DEPARTMENT; DEPUTY LOWELL BRYAN "SAM" BRUCE; DOES 1-50*  
*USDC No.: 07 CV 2385 JAH WMc*

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**AMENDED PROOF OF SERVICE TO NOTICE OF MOTION TO DISMISS  
AND POINTS & AUTHORITIES IN SUPPORT OF MOTION TO DISMISS BY  
DEFENDANT ALPINE PROTECTION DISTRICT**

by placing a true copy thereof in sealed envelope(s) addressed as stated below and causing such envelope(s) to be deposited in the U.S. Mail at Los Angeles, California.

Charles G. La Bella  
Steven T. Coopersmith  
La Bella & McNamara LLP  
401 West "A" Street, Suite 1150  
San Diego, California 92101

Todd D. Thibodo  
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***scoopersmith@labellamcnamara.com***  
Attorneys for Plaintiffs

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San Diego, California 92101-7910

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Facsimile no.: (619) 696-1410  
**Email: *samouris@higgslaw.com***  
Attorneys for co-defendant Viejas  
Fire Dept

I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

Executed on January 10, 2008, at Los Angeles, California.

1 I declare under penalty of perjury that I am employed in the office of a member of  
2 the bar of this Court at whose direction the service was made and that the foregoing is true  
and correct.

3  
4 Theresa L. Welsch  
(Type or print name)

*s/ Theresa L. Welsch*  
*(Original Signed)*



**PROOF OF SERVICE BY E-MAIL**

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.:

*JIM MAXWELL and KAY MAXWELL vs. COUNTY OF SAN DIEGO; ALPINE FIRE PROTECTION DISTRICT; VIEJAS FIRE DEPARTMENT; DEPUTY LOWELL BRYAN "SAM" BRUCE; DOES 1-50*  
*USDC No.: 07 CV 2385 JAH WMc*

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Stephen M. Caine  
(Type or print name)

*s/ Stephen M Caine*  
(Original Signed)